

**LOUISVILLE METRO COUNCIL MEETING
REGULAR MEETING
OCTOBER 22, 2009
6:00 PM
METRO COUNCIL CHAMBERS**

CALL TO ORDER: President Tandy called the **October 22, 2009** Regular Meeting of the Louisville Metro Council to order at 6:00 PM. He asked all to rise and join him in the Pledge of Allegiance to the Flag.

ROLL CALL:

JUDY GREEN: PRESENT
BARBARA SHANKLIN: PRESENT
MARY WOOLRIDGE: PRESENT
PRESIDENT DAVID TANDY: PRESENT
CHERI BRYANT HAMILTON: PRESENT
GEORGE UNSELD: PRESENT
KEN FLEMING: PRESENT
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: PRESENT
JIM KING: PRESENT
KEVIN KRAMER: PRESENT
RICK BLACKWELL: PRESENT
VICKI WELCH: PRESENT
BOB HENDERSON: PRESENT
MARIANNE BUTLER: PRESENT
KELLY DOWNARD: PRESENT
GLEN STUCKEL: PRESENT
JON ACKERSON: PRESENT
HAL HEINER: PRESENT
STUART BENSON: PRESENT
DAN JOHNSON: PRESENT
ROBIN ENGEL: PRESENT
JAMES PEDEN: PRESENT
MADONNA FLOOD: PRESENT
DOUG HAWKINS: PRESENT
BRENT ACKERSON: PRESENT

CLERK: There are 25 members present establishing a quorum.

PRESIDENT TANDY: Please allow the record reflect that Councilman Owen has an excused absence.

ADDRESSES TO COUNCIL:

PRESIDENT TANDY: Next, Madam Clerk, are there any addresses to the Council?

CLERK: Yes we do.

***Gregory Nielsen - Non- Profit Organization work with special needs kids
Jeff Taylor - Firefighters Settlement
Robin Wyatt - Child Security***

CLERK: That concludes our speakers.

PRESIDENT TANDY: Thank you, Madam Clerk.

INTRODUCTION OF PAGES:

PRESIDENT TANDY: Next, is the introduction of our page. Councilwoman Ward-Pugh will please introduce your page.

COUNCILWOMAN WARD-PUGH: With delight. McKayla, if you'll stand up please so we can all see you? This is McKayla Rai Lamey. McKayla is eight years old and attends Bloom Elementary School. Her favorite subjects are Math, Reading, Science and History. McKayla the folks back here want to see you too. There you go. She is a very strong believer in the Laws and the US Constitution. Her favorite colors are blue, green and orange and I am trying to add purple to that list. The person she admires the most is her Dad, Mike Lamey who is an inspector with IPL. Is Mike here tonight or just mother? If you will stand up there? Thank you for coming tonight. Last but not least she loves helping people and raising money for the "Kids For Kids Foundation". And just a brief story, when we saw her this past week, we were saying thank you to the manager at Walgreens there at Frankfort and Ewing because periodically throughout the year the manager gives candy and other items to Mike Lamey who takes them to United Crescent Hill Ministries and to low income places to distribute. He had McKayla go through the first 10 amendments to the Constitution. He said, now what is the first one, and so she recited it. And the second one? If she needed a little help, he may have said a word or two but she just ripped it right off. And then he said the most important one, the 19th Amendment, and she said?

MCKAYLA LAMMEY: Women's right to vote.

COUNCILWOMAN WARD-PUGH: Women's right to vote. So, it is my great good privilege tonight to welcome her and to give her this certificate. It's a proclamation making her Ninth District Distinguished Citizen and I have this pink Louisville slugger, which is for breast cancer month.

PRESIDENT TANDY: Councilwoman Flood.

COUNCILWOMAN FLOOD: Mr. President I can answer that for Mr. Downard. No she is not I have had several occasions to speak with Ms. McKayla and you'll be hard pressed to find anyone more respectful and polite at such a young age as McKayla is. Very nice citizen.

PRESIDENT TANDY: McKayla, glad to have you here.

GUESTS:

PRESIDENT TANDY: Our next item of business will be the introduction of our guests and we will begin with Councilman Engel. Please introduce your guest.

COUNCILMAN ENGEL: Thank you, Mr. President, my guest this evening is Mrs. Joan Smith, Executive Director with Lifehouse Inc., and she is accompanied by Eva. And I see Alderman Magre in the audience this evening. Welcome, sir. They want to talk to us very briefly on the residential maternity home and the counseling for single pregnant young mothers that go on at Lifehouse. I would call everybody's attention to yesterday's front page in the Courier Journal as we listen to this presentation where the state of Kentucky leads in child abuse death rates. Kentucky leads the nation in its rate of children's death involving abuse or neglect according to a study released by Every Child Matters Education Fund, a non-partisan children's advocacy and research group based in Washington. This is staggering, friends. In the 1970's and the 1980's the City of Louisville had four maternity homes operating, and since then we have had none until 2008 and Joan Smith. I had the opportunity yesterday to tour this unique place and I was thoroughly impressed and I think you folks have been with your support in the past for this organization. Joan will now share some thoughts on how our tax dollars are at work helping young women in crisis situations.

JOAN SMITH: Thank you, Council, for allowing me to be here. And thanks Councilman Engel for this invitation. It's just really with great enthusiasm that I'm back here tonight to share with you the progress that we've made at

Lifehouse. And a lot of this has been thanks to you and what you donated last year in the sum of over \$15,000 to our program. Because of your help and along with the generous supporters of many other people here in our community, we have had 13 healthy babies born through our program. For many, just the birth of these babies would be excitement enough. But at Lifehouse, we are much more than just striving for healthy babies. Our main focus is the health of the mothers. We know that when a mother is healthy both physically and emotionally, and when she has the education necessary to support herself and be financially solid, and also when she's been given this additional opportunity to grow spiritually, then and only then are we assured that she can and that she will make good choices for herself and her child. Whether this be parenting her child or placing her child for adoption. After 20 years of experience in directing similar programs, I know that if we provide everything for this mother in a loving and nurturing environment in order to give her the help and the tools that she needs to work through the problems of this unexpected or crisis pregnancy, it is then and only then that the outcome will be positive for both the mother and the baby. More importantly than these wonderful children being born and given the opportunity to reach their full potential, it's the wonderful opportunity that we're giving these young women to reach their full potential and to become wonderful citizens of our community. In May of 2008 when we opened our doors, we knew from the very beginning that we were not going to be able to reach every young woman that needed us. But we set out to do our very best. And I'm very proud to say I believe we have. And since opening we have remained at capacity. It is our hope and our dream that during this coming year we will be able to not only maintain what we're doing but be able to expand our program and purchase another facility. At present, we even have one young woman who is not living at our home because we didn't have room for she and the baby. She's living with a private family that was willing to take her in and coming into our facility for all the counseling and the other services that we offer. I couldn't help but be sickened when I read the headlines yesterday in the Courier Journal, I and that's the one that Robin was just alluding to, that Kentucky is No. 1 in child abuse. For years I personally have worked on ways to prevent child abuse. And I presented at Koshers Children's Hospital at the Child Abuse Prevention Council as a direct invite from the registered nurse who heads up their intensive care unit. I know if we continue to do the same things that we continue to do, then we can expect to have the same sad results. And next year I know you don't want to see, and I don't want to see, Kentucky as No. 1 in child deaths from abuse. Lifehouse does not present itself as just another one of the programs. Lifehouse is very unique and for that I am very proud. We are different in that we are reaching the greatly underserved unrecognized population of Louisville, specifically that pregnant teen or that woman primarily from a middle income family who is most unlikely to seek prenatal care. We must look for new and innovative ways to change the statistics for our children. Lifehouse is just one of those innovative ways. It's not about money. It is about effective ways of addressing this problem and by encouraging parents to take responsibility for themselves and their child. At Lifehouse we know that child abuse starts in the womb when the mother is not taking responsibility for herself or for her unborn child. At Lifehouse, we are not only providing the environment where the mother is held accountable for her actions. She's taught on a daily basis 24 hours a day what it means to become a good parent. We also recognize that many young mothers are not able to be on their own after their births. That is why after that baby is born, we allow these young women to stay in our program for up to three years after the birth of their child. We offer complete, 100%, scholarship programs for these young women to stay in college. In the article that was just written in the paper yesterday, it says we must heighten the importance of investing and strengthening our families and protecting children. That's exactly what we are doing at Lifehouse. Tonight I am here to not only thank you for your support before, but to ask you for your continued help in helping us to expand our family at Lifehouse and to be able to expand our counseling program. I'm very honored tonight that Eva, one of our residents at Lifehouse wanted to come here tonight just to tell you a little bit about her journey to Lifehouse. Eva.

EVA: Thank you, all for letting me speak, as well. Several months before I came to Lifehouse I was involved in a date rape situation. I was in a middle class family and we were of course struggling to deal with all of this so a Christian counseling place sent me to Lifehouse. So far I have matured so much spiritually and emotionally with everything I've been dealing with. Through counseling and just doing house mothers and Joan and other directors and other people that are involved at Lifehouse. Not only am I getting counseling, I have made some really great friends there. I've just gotten a whole new family. And I'm also going to receive education which I also would not have been able to even think about back home. Lifehouse has been an amazing blessing to me and my case and a huge blessing to people in their cases, as well. And I just pray that it continues to grow and get support from everyone in the community.

COUNCILMAN ENGEL: Thank you, Mr. President, I appreciate it. Thank you, Joan, Eva, I appreciate it.

COUNCILWOMAN WARD-PUGH: Mr. President.

PRESIDENT TANDY: Yes. Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: Mr. President, if I might, a point of personal privilege thank Councilman Engel for bringing these folks here again this year and wanted to say that I appreciate the work that they do and I'm glad that their office is in the Ninth District. And I appreciate having them as constituents and thank you for bringing them. And thank you, all, for the work that you do.

PRESIDENT TANDY: Thank you, Councilman Engel. Next we'll have Councilwoman Butler, please introduce your guest.

COUNCILWOMAN BUTLER: Thank you, Mr. President. It's a privilege and honor for me to have Bill Schreck before us this evening. If Bill could stand? Bill spent a few decades with City Government. And we were very fortunate to have him most recently as IPL Director. But I wanted to publicly thank you for all you've done for our community. And for my District, as well, because any time we call, as you know I call you at night sometimes, you are very helpful. And I just wanted to thank you publicly for that. And I know Susan has got something she's going to give you. If you don't know it, Bill has got a sweet tooth. And Susan has something. But I also, I know that some of the other members would probably want to thank Bill, as well. So this is our opportunity to thank him publicly for all he's done. And I don't know if you want to say something, Bill.

BILL SCHRECK: Well, thank you. And the last 35 years of my life has just been an incredible experience and I owe it to a lot of the people that have provided the support which all of you all have been so great to me and to us. And I just really want to thank you all.

PRESIDENT TANDY: Councilman Henderson.

COUNCILMAN HENDERSON: Bill, I want to personally thank you. I know when I came into Government I thought most Government people were just leeches and really didn't care about Southwest Jefferson County. I really did have some bad thoughts about a lot of people in Government. But you proved me completely just the opposite. You've done more for Southwest Jefferson County in my District and I know you have in others, as well. But we all want to thank you for making the big changes or helping me, back me up, when I tried to make these changes. And I hold you up to anybody. And I do appreciate everything that you've done.

BILL SCHRECK: Thank you very much.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. Mr. Schreck I'm sorry you retired. However I think you earned it. I first met you as an aide in the Ninth Ward and we worked together great and once I became an elected official we worked together even better. I want to thank you for all you did for District 3 and the Ninth Ward, We will always keep you close to our heart. Thank you.

BILL SCHRECK: Thank you.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: Thank you, Mr. President. Mr. Schreck it's been a pleasure working with you and knowing you over the years as Mary mentioned since the Board of Aldermen days to now. You made the transition from the Board of Alderman to the merged Government very smooth and as people start to retire, we realize we are losing a lot of institutional memory and history. And I'm really sorry to see you go. You've been a great help to District 5 and to Myra and I. And you get those e-mails and those phone calls like Marianne said. But you have always been very accessible. I can recall Mr. Schreck even coming down when we have had cleanups and personally picking up trash in my District. So he puts his money where his mouth is. We'll miss you.

PRESIDENT TANDY: Councilman Blackwell.

COUNCILMAN BLACKWELL: I too would like to thank Mr. Bill Schreck for all he has done. We have a lot of good people that work for the Government. And then we have those who are really public servants. And Mr. Schreck is a great example of what it means to be a public servant. I would send, and I know all of you have, I oftentimes will send e-mails late at night hoping to catch the person in the morning. And I would oftentimes get them back that night and my first thing would be: Bill, you need to go home. And take care of this tomorrow. But it was really -- it was a shock to get things back. But it wasn't really a shock when you knew that you were sending something to Bill Schreck because he was always on the job and so I hope he does find a way to let go of that and enjoy his retirement. Thank you so much.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. Bill, as I told you when we talked on the phone, I respect and applaud your right to spend time with your family finally and I respect that I'm going to miss you. I told you that also. You are one of the best public servants I bumped into since I took this job six years ago and I thank you for the effort you've made to this community.

PRESIDENT TANDY: Councilman Stuckel.

COUNCILMAN STUCKEL: Oh, I'm sorry.

PRESIDENT TANDY: You turned it off.

COUNCILMAN STUCKEL: I can't think of a time when as an industry, we came to you with a concern or problem that you didn't go out of your way to come to a conclusion that was fair to everybody. And that's a big thing for us. I'm going to expect two things of you out of retirement: No. 1, I want you to become a better magician. You need a lot of improvement Bill from what I've seen and secondly, I hope that you're going to call me and we'll get together and ride those motor cycles together.

PRESIDENT TANDY: Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. Bill Schreck, where do we begin to tell the tale of a man that worked for a dollar and a quarter an hour. That must have been what you made because you worked seven days a week. You're the epitome of what public service should be about. Your dedication to this community is matched by none. But I would like to reintroduce you to your wife because we saw more of you than she did, and thank you to your wife for allowing him to work such long hours. I don't know what this community would have done without someone like you in that position who was willing to work 24/7 and was at the beckoning and call of anyone who needed you. You will surely and sorely be missed, Bill. Thank you.

PRESIDENT TANDY: Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President, boy, Bill, it's hard to -- there's a lot of people in Government like Rick Blackwell says. But you're the real deal. I mean, I just think he's the greatest guy. When you talk to him, you talk logic and you talk to somebody who really cares about making things better. And forget about any kind of politics or anything. He does the right things for the right reasons. And boy, I'm really going to miss you. Because -- like I e-mailed the Mayor several times and I think -- I don't usually do that. But you're a great person and I really appreciate what you've done for me. Thank you.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I and Ray Manley will miss you. We've been with you for a long time Bill and we sure hope you have a good retirement. Thank you.

PRESIDENT TANDY: Councilman Kramer.

COUNCILMAN KRAMER: Thank you, Mr. President. Bill, you know, I didn't think I would be jealous of your wife ever. But we're happy that she gets you back. I think it's important to say that we're happy that she gets you back, we're sad unfortunately you have to leave us for that to be true. Like so many on the Council, meeting with you and having you work in our districts has just been incredible. Every time we have asked

department heads to come out into the districts to meet with town hall meetings and things like that, of course we've always had tremendous response, what strikes me is, I had a problem with a constituent and we were trying to get things straightened out at the house and the Director of IPL called and said, can you tell me what the address is and when you're going to meet with the people because I would like to be there. That's topnotch. It's one thing to call the director and say hey, can you help me out, I've gotten great response when I've done that, but to have a director say let me be where you need me to be, you're the only one that's done that so far and I'm hoping some others take an opportunity to live up to what you did. It's incredible. We're glad you get him back. We're sad we are going to have to lose him in order for that to be true. Thank you.

PRESIDENT TANDY: Councilman King.

COUNCILMAN KING: Thank you. I'm not going to take a lot of time other than to say I wish that you worked for my organization. I would love to have someone like you come out of retirement and take over. I mean, you're unbelievable. And you know you're the kind of guy that just finds a way to get things done. You're a glass half full kind of guy. And we're really going to miss you in this Government and you have some big shoes to fill. So thank you for what you did for us.

PRESIDENT TANDY: Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: Thank you, Mr. President. It is with regret that we say goodbye to you as far as public service goes, but wish you well. And I want to say thank you to your family for their partnership in your service. There's no question that spouses and children are part of your service, and our service to our community. And yours is extraordinary. I agree with Stuart. You really are the real deal. And I want to say thank you in particular because I always found it helpful that you were able to educate while you were making decisions or talking out loud about decisions. And so you've not only shared with me the rationale and the understanding of the decision, but I've been able to then carry that forward to my constituents to create a smarter constituency to understand why we do what we do. And help them be able to resolve difficulties better and think about how to resolve a new and creative ways. And I just want to say thank you for your service.

PRESIDENT TANDY: Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. Schreck. Your quiet leadership, your utmost integrity, and your forthrightness has always been an invaluable asset, to not only District 1, but to all of this community. For that I appreciate you. And I will sorely miss you. You know, your willingness to always go above and beyond the call of duty did not go unnoticed as you have heard tonight by my colleagues. I hope this won't be goodbye. Hopefully it will just be so long and perhaps I will continue to see you perhaps at the U of L Dental Clinic. So thank you so much for what you've done and what you've meant to me. And have a great retirement with your wife and your family.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Sorry. I was talking a while ago so I put it off. But Bill, I just want to say I think it was a couple of weeks ago, I had a problem in the area with the ABC area. And I said: Well, Bill Schreck is already retired, so let me call to find out who has taken his place. I called and he answered the phone and I said didn't you retire? He said well I'm here. I'm not completely retired. And he really went out of his way to help me and I really appreciate it. And I'm going to miss you. And I'm going to miss calling late and still getting a response back from your office late at night. So I appreciate that.

PRESIDENT TANDY: Councilman Heiner.

COUNCILMAN HEINER: Bill, thank you so much for all of the help. But especially those first year or two on the Council I would come to you, throw my arms up what do I do with this. And you always have a creative solution. But what I really liked about your solution and the way you operated and your management position was you took everything very personal. It was like, not in my Louisville that's not going to happen. And what that led to -- and I know you and I worked on a couple of things and I know you have worked with other people on legislation that was crafted and works well today only because of your input. And what that means even though you're leaving the city now is that 50 years from now you'll still be having a positive impact on this city and I thank you for that service.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN WELCH: Mr. Schreck I too want to thank you. Sorry you had to spin around. I'm over here. I know it's hard to hear where it's coming from. But you've gone above and beyond in my District, too, on a particular case that you know what I'm talking about. And hopefully that's going to be okay for a while. But I do appreciate your service. I think that your leadership and your kindness went all the way down the line. I have seen several of your inspectors who have worked in my District that also have that caring compassion. And want to do the right thing. And you know, they may be out there on one job and see something else and call me and say: What do you want me to do. You know, they are not just looking at a piece of paper at what they have to do if they see something else wrong, they are going to do that, too. And I appreciate that kind of service and that kind of leadership that does -- that is instilled into your staff, too and we will definitely miss you.

PRESIDENT TANDY: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you, Mr. President, Bill as you can tell you'll be sorely miss, but I would like Rose to stand up. We've been talking about you all night, Rose, they need to meet you, too. So thank you.

PRESIDENT TANDY: Well, Bill, when all has been said about a job well done the only thing that's left to do is to -- Council members, if you would join me?
[Applause and Standing Ovation]

PRESIDENT TANDY: Thank you, Bill. Enjoy retirement. And I want to see this, see you and Councilman Stuckel riding on some hogs. I would like to see that.

BILL SCHRECK: Thank all of you all.

PRESIDENT TANDY: All right. Finally tonight with regard to our guests, as many of you know in addition to October being Breast Cancer Awareness Month, it is also Domestic Violence Awareness Month. And tonight I have the honor of sponsoring a resolution, which is Item No. 39 on our agenda that calls attention to the public of this terrible crime. Crime has a way of having a ripple effect throughout a community; but certainly none more so than domestic violence has the ability to cripple families and communities, as well. And so to speak to this resolution and also to address the issue of domestic violence as it relates to Jefferson County, we wanted to invite the Director of the Center for Women and Families, Ms. Denise Troutman, to come forward. And to speak to us for just a few moments, please.

DENISE TROUTMAN: Thank you, Councilman Tandy. I had no idea I would be speaking. I've spoken to you all before. I thank Councilman Tandy and all of you for recognizing that in fact October is Domestic Violence Awareness Month. I always tell people when a woman is abused, not only her family suffers but an entire community is shocked and rocked. We heard from the young lady before, many people don't know that the Center for Women and Families does not only deal with domestic violence survivors but also reach out to sexual assault victims as well. So I want to thank you all for the 27,000 interactions we had last year alone for the Center for Women and Families and the 10,361 calls received at the Center for Women and Families last year. Many of you know these are tough economic times. We have never seen our numbers as high as they have been. I've been at the Center for Women and Families going on three and a half years. And this is probably in the last six months the hardest time that I have seen. I feel for women from every District. And when you lose a job, when you -- wow - when you lose your home, it is a very stressful situation. Our beds have never been fuller. Our staff, which are 92, have never worked harder. I am happy to say that I have Steven Bowling here with me tonight. He is now the Community Engagement Director at the center because it is time that we give this issue voice. Thank you so much, Councilman Tandy, and all of you who have supported the Center for Women and Families for so many years now. And we just hope that you continue to do so, because we are truly the cornerstone for many in this community. Thank you.

PRESIDENT TANDY: One last thing. Why are you wearing black?

DENISE TROUTMAN: Thank you for asking. This pin right here, that we are wearing and many wear at the Center for Women and Families say ask me about Thursdays in Black. In solidarity for the mission of the Center for Women and Families, this is a way that just by dressing in black, that every Thursday in the month of

October and any time you would like to wear black and don this button somebody will invariably ask you, why are you wearing that button, and you are able to give this mission voice and it allows us to do it almost 365 days a year, 24 hours a day, seven days a week. But at least when people ask, it's an awareness initiative and a marketing thing, so thank you for asking tonight.

PRESIDENT TANDY: Thank you for the work that you do for this community.

DENISE TROUTMAN: Thank you.

APPROVAL OF COUNCIL MINUTES:

PRESIDENT TANDY: Next on our agenda, we have Council minutes for our regular meeting of October 8, 2009. Are there any corrections or deletions? Seeing none, we now have the minutes before us. Is there a motion to approve?

COUNCILMAN PEDEN: Motion to approve.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the (council) minutes before us. All in favor say aye.

ALL PRESENT: AYE

PRESIDENT TANDY: All opposed?

The ayes have it.

The minutes are approved as written.

APPROVAL OF COMMITTEE MINUTES:

PRESIDENT TANDY: The next item of business is approval of the following committee minutes.

Regular: Appropriations, NDFs and CIFs - October 15, 2009

Regular: Budget - October 14, 2009

Regular: Committee of the Whole - October 8, 2009

Regular: Committee on Committees - October 20, 2009

Regular: Contracts and Appointments - October 14, 2009

Regular: Health and Human Needs - October 14, 2009

Regular: Labor & Economic Development - October 15, 2009

Regular: Government Accountability and Oversight - October 7, 2009

Regular: Planning/Zoning, Land Design & Development - October 13, 2009

Regular: Public Safety - October 13, 2009

Regular: Transportation/Public Works - October 15, 2009

Special: Ad Hoc Flash Flood of 2009 - October 7, 2009

Special: Budget - October 20, 2009

PRESIDENT TANDY: Are there any corrections or deletions?

COUNCILMAN PEDEN: Motion to approve.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the Committee minutes before us.

All in favor please signify by saying aye.

ALL PRESENT: AYE

PRESIDENT TANDY: All opposed?

The ayes have it.

The minutes are approved as written.

COMMUNICATION FROM THE MAYOR:

PRESIDENT TANDY: Next, Madam Clerk, are there any communications from the Mayor?

CLERK: Yes there is.

October 19, 2009

Mr. David Tandy, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President Tandy:

In accordance with the Louisville Water Company – Board of Waterworks Ordinance, I am re-appointing the following to the **Louisville Water Company Board of Waterworks**.

Name		Term
Tandy Patrick	Re-Appointment	April 30, 2013
Marita Willis	Re-Appointment	April 30, 2013

Your prompt action on these appointments is most appreciated.

Sincerely,

/s/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/raw

cc: Councilwoman Vicki Welch enclosure
e-copy to MCC

October 19, 2009

Mr. David Tandy, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President Tandy:

In accordance with the Domestic Violence Prevention Coordinating Council Ordinance, I am appointing the following to the **Domestic Violence Prevention Coordinating Council**.

Name		Term
Christopher D. Locke	New Appointment	October 31, 2011
Dr. Linda Bledsoe	Re-Appointment	October 31, 2011
Ms. Marcia Roth	Re-Appointment	October 31, 2011
Dr. Bill Smock	Re-Appointment	October 31, 2011

Your prompt action on these appointments is most appreciated.

Sincerely,

/s/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/raw

cc: Councilwoman Vicki Welch enclosure
e-copy to MCC

October 19, 2009

Mr. David Tandy, President
Metro Council
601 West Jefferson Street
Louisville, KY 40202

Dear President Tandy:

In accordance with the Air Pollution Control Board Ordinance, I am re-appointing Dr. Nadir Al-Shami to the **Air Pollution Control Board**. This term shall expire on August 31, 2012.

Your prompt action on this appointment is most appreciated.

Sincerely,

/s/ Jerry E. Abramson

Jerry E. Abramson
Mayor

JEA/raw

cc: Councilwoman Vicki Welch enclosure
e-copy to MCC

PRESIDENT TANDY: Thank you. These items will be referred to the Contracts and Appointments Committee for further consideration.

CONSENT CALENDAR:

PRESIDENT TANDY: Next, we have the Consent Calendar. The Consent Calendar currently comprises of items 19 through 35. Are there any additions or deletions? Councilwoman Butler is not present. But I believe she is requesting that Item 20 be moved to old business. Without objection that item will be moved. Also are there any other requests, Councilman Hawkins?

COUNCILMAN HAWKINS: Is Item 29 still – moved to Old Business?

PRESIDENT TANDY: Item 29 will be moved to the old business without objection. The Consent Calendar -- are there any other corrections or deletions? Seeing none then the Consent Calendar now surprises Item 19 and Items 21 through 28, and Items 30 through 35. Madam Clerk, a second reading of these items. Madam Clerk a second reading of these items.

Consent Calendar:

19. AP101409KF APPOINTMENT OF KARYL FERMAN TO THE ETHICS COMMISSION, TERM EXPIRES JUNE 30, 2012.

Status:	On Council Agenda - Consent Calendar
Committee:	Contracts and Appointments

21. AP101409MM APPOINTMENT OF MARY MORROW TO THE TARC BOARD, TERM EXPIRES JUNE 30, 2012.

Status:	On Council Agenda - Consent Calendar
Committee:	Contracts and Appointments

22. RP101409ME RE-APPOINTMENT OF MARK EDMONSON TO THE TARC BOARD, TERM EXPIRES JUNE 30, 2012.

Status:	On Council Agenda - Consent Calendar
Committee:	Contracts and Appointments

23. R-201-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING AMENDMENT TO A NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT – GODSEY ASSOCIATES ARCHITECTS, INC. - \$153,370.00.

Status:	On Council Agenda - Consent Calendar
Committee:	Contracts and Appointments
Primary Sponsor:	David Tandy

24. R-196-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – GRESHAM SMITH & PARTNERS - \$50,000.00.

Status:	On Council Agenda - Consent Calendar
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Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

25. R-197-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – GRESHAM SMITH & PARTNERS - \$100,000.00.

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Cheri Bryant Hamilton

26. R-199-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (DR. RACHEL A. BROWN D.V.M. - \$100,000.00).

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Robert Henderson

27. R-186-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (DR. BRADLEY KEOUGH. D.V.M. - \$100,000.00).

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Vicki Aubrey Welch

28. R-203-10-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION IN THE AMOUNT OF \$10,000.00 FROM NESTLE PURINA PETCARE COMPANY AND THE KROGER COMPANY TO ANIMAL SERVICES FOR OPERATIONAL SUPPORT.

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: Robert Henderson

30. O-167-10-09 AN ORDINANCE APPROPRIATING \$15,000 FROM DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS (NDF), TO METRO PARKS DEPARTMENT FOR ACTIVITIES IN DISTRICT 5 PARKS.

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Cheri Bryant Hamilton

31. O-171-10-09 AN ORDINANCE APPROPRIATING \$13,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: \$4,600 EACH FROM DISTRICTS 13, 15, AND 21, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO NEWCITIES

INSTITUTE, INC. FOR A STUDY OF THE NEW CUT ROAD/TAYLOR BOULEVARD CORRIDOR PLAN.

Status:	On Council Agenda - Consent Calendar
Committee:	Appropriations, NDFs and CIFs
Primary Sponsor:	Vicki Aubrey Welch Marianne Butler Dan Johnson

32. R-200-10-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \$231,738.00 GRANT FOR BITUMINOUS RESURFACING ON VARIOUS COUNTY ROADS.

Status:	On Council Agenda - Consent Calendar
Committee:	Transportation/Public Works
Primary Sponsor:	Vicki Aubrey Welch

33. O-169-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 91, SERIES 2009, RELATING TO THE FISCAL YEAR 2009-10 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 21) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 21).

Status:	On Council Agenda - Consent Calendar
Committee:	Budget
Primary Sponsor:	Dan Johnson

34. O-170-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 91, SERIES 2009, RELATING TO THE FISCAL YEAR 2009-10 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$15,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 4) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 4).

Status:	On Council Agenda - Consent Calendar
Committee:	Budget
Primary Sponsor:	David Tandy

35. O-175-10-09 AN ORDINANCE DESIGNATING THE RECOVERY ZONE FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS IT RELATES TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 ("ARRA").

Status:	On Council Agenda - Consent Calendar
Committee:	Budget
Primary Sponsor:	Jim King

PRESIDENT TANDY: Thank you Madam Clerk. Is there a motion to approve?

COUNCILMAN PEDEN: Motion to approve.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the Consent Calendar before us. Madam Clerk, please open the voting.

Voting Result: Consent Calendar

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
BRENT ACKERSON: YES

CLERK: There are 25 yes and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Consent Calendar passes.**

OLD BUSINESS:

PRESIDENT TANDY: The next item of business is Item No. 20. Madam Clerk, a reading of this Item.

20. AP101409CM APPOINTMENT OF CREIGHTON MERSHON TO THE LOUISVILLE WATER COMPANY BOARD, TERM EXPIRES APRIL 30, 2012.

Status:	On Council Agenda - Consent Calendar
Committee:	Contracts and Appointments

PRESIDENT TANDY: Is there a motion?

COUNCILMAN PEDEN: So moved.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the appointment before us. Is there any discussion? Councilwoman Welch?

COUNCILWOMAN WELCH: I believe it should be Councilwoman Butler.

PRESIDENT TANDY: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you Mr. President. This was moved to old business to allow me to abstain due to my relationship with the Louisville Water Company.

PRESIDENT TANDY: Thank you. Is there any further discussion? Seeing none this is an appointment that would normally call for a roll call vote. However to allow for the abstention to be recorded, Madam Clerk please open the voting.

Voting Result: Item 20

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: ABSTAIN
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
BRENT ACKERSON: YES

CLERK: There are 24 yes votes, 1 Abstention from Councilwoman Butler and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Appointment passes with one Abstention.** The next item of business is Item No. 29. Madam Clerk a reading of this ordinance.

29. O-174-10-09 AN ORDINANCE APPROVING THE FIFTEENTH SUPPLEMENTAL SEWER AND DRAINAGE REVENUE BOND AUTHORIZING RESOLUTION ADOPTED BY THE BOARD OF THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (HEREINAFTER "THE DISTRICT") WHICH AUTHORIZES THE ISSUANCE OF THE DISTRICT'S SEWER AND DRAINAGE SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, (HEREINAFTER THE "CURRENT BONDS") AND PROVIDING FOR THE ADVERTISING, PUBLIC, COMPETITIVE SALE OF SAID BONDS IN AN AMOUNT NOT TO EXCEED \$180,000,000.00.

Status:	On Council Agenda - Consent Calendar
Committee:	Labor & Economic Development
Primary Sponsor:	Jim King

PRESIDENT TANDY: Is there a motion?

COUNCILMAN PEDEN: So moved.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the Ordinance before us. Is there any discussion? Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you, Mr. President. This was before the Labor and Economic Development Committee. Mr. Bud Schardein, the Director, and Marion Gee who is in the audience this evening came over and spoke to the committee. This did pass out unanimously but another Councilman asked that it be on old business. This bond is for IOAP expenditure, sanitary sewer, the Consent Decree, the Western Pump Station, Project DRI, and then equipment they would need, capital equipment. I'm not sure if there's any other questions or discussion. But that's what it was. And it did come out unanimously.

PRESIDENT TANDY: All right. Thank you. Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. I'm actually happy that Councilman Hawkins took this off of the Consent Calendar because it gives us an opportunity to talk a little bit more about what it means and what it means for our area. MSD has done a ton of work actually throughout the Metro but in particular in the Southwest Louisville. But as we saw when the floods occurred that there's still more work to do. As we see with the Consent Decree obviously and some of the pollution issues that we have, there's still much work to be done. And certainly when our constituents call, I think all of us have a backlog of constituent concerns that end up being MSD issues rather than issues that we directly deal with in our offices. So there's still much to do. And particularly I'm happy, too, for us in our end of town, the Southwest, there's a large percentage especially of the Project DRI funds that get spent in our area. The good news and bad news; The good news is we get a large amount, the bad news is the reason we get a large amount is because we have had in the past so many problems in Southwest Louisville so this vote tonight is to continue some of that work. We have had several rounds of Project DRI projects and our constituents have kind of gotten used to the big projects that MSD can't handle with their own people. You know, that when the next round of Project DRI funds become available that this big project will be taken care of. So we have a number of constituents who wait patiently in some cases. Not so patiently in others for their project to get to the Project DRI list. And so this bond tonight approves more money for the Project DRI list and will continue to do that. So for all those on who are on that list for Project DRI, this vote will hopefully move that forward. Thank you, Mr. President.

PRESIDENT TANDY: Thank you, Councilman Hawkins.

COUNCILMAN HAWKINS: Thank you, Mr. President. I simply wanted to record my vote. And I had not intended to speak to this at all. It's just \$180 million dollar bond issue is a tremendous amount of money and when we have an \$800 million budget, it's a large percentage that we're bonding and I just have a hard time with that and wanted to record a no vote.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I would like to thank MSD for bringing this forward and actually putting in some new drainage basins to try to help with the flooding as we've been discussing on the flooding pass course with Mr. Schardein. I think that they are doing a good thing by getting this to go forward.

PRESIDENT TANDY: Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. Tina Ward-Pugh and myself was on the water team of --- and there's a lot of cities, Atlanta, Birmingham and four or five others that the Government is in charge of making sure there's no pollution in our streams. And we are very fortunate I believe this Consent Decree - I'm sorry; could you all not hear me. I'm usually pretty loud anyway. I'm sorry. The Consent Decree that we working under is going to save us about \$2 billion. And if you think about how many residents would be really paying high sewer bills, we know that we don't want to raise taxes and \$180 million is a lot of money. But \$2 billion is a lot of money, too. And so I think the way we are running our system with us being kind of in charge of

making sure that we do the right projects at the right time for our citizens, I'm just thankful that Bud Schardein and the MSD people are in charge. So I'm for this. Thank you.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. I know Project DRI has been a tremendous help in District 3. However, I guess I have a question regarding this bond, \$180 million. And my question to anyone here on the Council or -- the \$180 million will this be spent throughout the entire Louisville and Jefferson County area? I did hear one of my colleagues say something about Southwest. So I need a clarification on that particular question.

PRESIDENT TANDY: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you, Mr. President, Yes, Councilwoman Woolridge, as I recall, the bond issue is for \$162 million in capital. And \$18 million for debt reserve. They are also going to use some Build America Bonds that may come forward. But this is for a comprehensive look at the entire community so that -- because what happens in one area runs off into another area and they want to stop that to where every place is protected equally.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. Thank you Councilwoman Butler.

PRESIDENT TANDY: Is there any further discussion? Seeing none, this calls for a roll call vote, Madam Clerk, please open the voting.

Voting Result: Item 29

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: NO
BRENT ACKERSON: YES

CLERK: There are 24 yes votes, 1 No vote, who is Councilman Hawkins, and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Ordinance passes.** The next item of business is Item No. 36.
Madam Clerk a reading of this ordinance.

36. O-173-10-09 AN ORDINANCE APPROPRIATING \$(6,250) 6,500 FROM NEIGHBORHOOD

DEVELOPMENT FUNDS AS FOLLOWS: \$5,000 FROM DISTRICT 22; \$500 FROM DISTRICT 10; \$500 FROM DISTRICT 13; AND (\$250) 500 FROM DISTRICT 1, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO LIFEHOUSE, INC. FOR PROGRAM OPERATIONS. (AS AMENDED)

Status:	On Council Agenda - Old Business
Committee:	Appropriations, NDFs and CIFs
Primary Sponsor:	Robin Engel Jim King Vicki Aubrey Welch Judy Green

PRESIDENT TANDY: Is there a motion?

COUNCILMAN PEDEN: So moved.

COUNCILMAN DOWNARD: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the Committee Amended version before us. Is there any discussion? Councilman Engel.

COUNCILMAN ENGEL: Thank you, Mr. President. It was amended in committee and that's why it's here and I suspected that hopefully some folks would support that and it looks like we've got it going, so I'll be very brief and simply thank you for your time in listening to our guest speakers tonight. And I appreciate your support for this great organization.

PRESIDENT TANDY: Is there any further discussion? Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I'm going to thank the two speakers -- both speakers, for excellent presentations and I would like to add \$2,500 from District 16 please.

PRESIDENT TANDY: Councilman Brent Ackerson.

COUNCILMAN BRENT ACKERSON: Thank you, Mr. President. District 26 would like to add \$500 to the project.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: Yes, sir. District 23 would like to add \$500, please.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Yes, Mr. President, I would like to thank the folks for being here tonight. It was good to see Alderman Magre and District 3 would like to add \$500.

PRESIDENT TANDY: Councilman Stuckel.

COUNCILMAN STUCKEL: District 17, \$500.

PRESIDENT TANDY: Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President and District 24 will add \$1,000.

PRESIDENT TANDY: Councilman Johnson

COUNCILMAN JOHNSON: District 21 will add \$500.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: District 2 would like to put in \$500.

PRESIDENT TANDY: Councilman Benson

COUNCILMAN BENSON: Mr. President, \$500 from District 20.

PRESIDENT TANDY: Councilman Henderson.

COUNCILMAN HENDERSON: \$300, from District 14.

PRESIDENT TANDY: Councilman Blackwell.

COUNCILMAN BLACKWELL: \$500 from District 12 please.

PRESIDENT TANDY: Any further amendments? Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: Thank you, Mr. President, from District 5, \$250.

PRESIDENT TANDY: Councilman Unsel.

COUNCILMAN UNSEL: District 6, \$500.

PRESIDENT TANDY: Councilman Hawkins.

COUNCILMAN HAWKINS: District 25, \$500.

PRESIDENT TANDY: Any others? Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: District 9 will give \$250.

PRESIDENT TANDY: Councilman Jon Ackerson.

COUNCILMAN JON ACKERSON: District 18 will give \$250.

PRESIDENT TANDY: All right. Are there any others? All right. Madam Clerk, also please add \$250 from District 4, please. Any other amendments?

COUNCILMAN DOWNARD: I'll move those amendments.

COUNCILMAN PEDEN: Second.

PRESIDENT TANDY: Properly moved and seconded we now have those amendments before us.

COUNCILMAN DOWNARD: Could we -- do we know what the total is.

PRESIDENT TANDY: Go ahead, Madam Clerk.

THE CLERK: Hold on one second. If I added right, it comes out to \$16,300.

PRESIDENT TANDY: All right. So we now have the amendment before us. Is there any further discussion on the amendment? Seeing none, All those in favor signify by saying aye

ALL: Aye.

PRESIDENT TANDY: All opposed?

OPPOSED: None.

PRESIDENT TANDY: The ayes have it the amendment passes. Is there any further discussion on the amended ordinance? Seeing none, this is an ordinance calling for a roll call vote. Madam Clerk, please open the voting.

Voting Result: Item 36

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
BRENT ACKERSON: YES

CLERK: There are 25 yes votes, and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Ordinance as Amended passes.** The next item of business is Item No. 37. Madam Clerk a second reading of this ordinance.

37. O-177-10-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 8012 NATIONAL TURNPIKE, CONTAINING A TOTAL OF 1.15 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 12085).

Status:	On Council Agenda - Old Business
Committee:	Planning/Zoning, Land Design & Development
Primary	Tom Owen
Sponsor:	

PRESIDENT TANDY: Is there a motion?

COUNCILMAN PEDEN: So moved.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the Ordinance before us. Is there any discussion? Councilman Stuckel.

COUNCILMAN STUCKEL: Thank you President Tandy. I'm going to read from the proceedings from the Planning Commission. This request is for the use that has been existing on a site in R-4 zoning for a number of years. The applicant has been issued a notice of violation for having a commercial use in a residential zone. An appeal was filed. The Board of Zoning Adjustment denied the appeal because the applicant did not submit adequate evidence to prove the use was on the site since 1953. The applicant is now requesting a change in zoning from R-4 to C-M. A portion of the existing building will be removed. A two story addition will be added to the front and a warehouse addition to the rear with a loading area are proposed. The cross access easement is also proposed on the front of the property which will need to be recorded prior to the transmittal and approved plans. The applicant is requesting a waiver of the 50 foot landscape buffer area required between industrial and residential uses for the rear of this subject site. The Planning Commission hearing was held on September 17th, 2009 and no one spoke in opposition. The Commission approved the request and made recommendation for approval by our Council. Items of discussion were the screening and buffering, landscaping, and no idling of trucks by a residential area. And no auto sales will be allowed. It came to the Council from our committee with a unanimous vote. It is in Councilwoman Welch's District and I'm sure she'll want to comment.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN WELCH: Yes, thank you, Mr. President. And thank you Mr. Vice chair. This is in my District. And it is in a stretch of National Turnpike that is mostly commercial with lots of little auto places there. So I'm happy to see that that cannot happen on that property there. And I also had no comments from anyone from the District. So I would be in approval of this, and would appreciate your vote on this.

PRESIDENT TANDY: Is there any further discussion? Seeing none, this is an ordinance calling for a roll call vote. Madam Clerk, please open the voting.

Voting Result: Item 37

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
BRENT ACKERSON: YES

CLERK: There are 25 yes votes, and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Ordinance passes.** The next item of business is Item No. 38.
Madam Clerk a reading of this ordinance

38. O-168-10-09 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) 32.730 RELATING TO THE CRIMINAL JUSTICE COMMISSION. (AS AMENDED)

Status:	On Council Agenda - Old Business
Committee:	Public Safety
Primary	Vicki Aubrey Welch
Sponsor:	

PRESIDENT TANDY: Is there a motion?

COUNCILMAN DOWNARD: So moved.

COUNCILMAN PEDEN: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have this Ordinance before us. Is there any discussion? Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This was amended in committee to allow that the six citizens only that are appointed by the Mayor that come before this body to be approved as in every other committee that we have or every other commission that we have citizens that we ask to be approved on. And it's just those six. It was also a change in the original body of the ordinance that the Federal agencies are no longer voting members of the Board. They are ex officio parties and have no voting rights because they cannot vote on local issues. And that was all.

PRESIDENT TANDY: All right. Is there any further discussion? All right. Seeing none this is an ordinance calling for a roll call vote. Madam Clerk, please open the voting.

Voting Result: Item 38

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES

BRENT ACKERSON: YES

CLERK: There are 25 yes votes, 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Ordinance as Amended passes.** The next item of business is Item No. 39. Madam Clerk a second reading of this Resolution.

39. R-208-10-09 A RESOLUTION CALLING ATTENTION TO THE PERVASIVE AND LIFE THREATENING CRIME OF DOMESTIC VIOLENCE.

Status:	On Council Agenda - Old Business
Committee:	Public Safety
Primary Sponsor:	David Tandy
Additional Sponsor:	Glen Stuckel James Peden Madonna Flood Mary C. Woolridge Rick Blackwell Tina Ward-Pugh

PRESIDENT TANDY: Is there a motion?

COUNCILMAN DOWNARD: So moved.

COUNCILMAN PEDEN: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the Resolution before us. Is there any discussion? Councilwoman Flood.

COUNCILWOMAN Flood: Thank you, Mr. President. This was put on old business to allow the rest of the Council Members, if they would like, to join as co-sponsors and to allow the Metro Council to speak as one voice against domestic violence in this community.

PRESIDENT TANDY: All right. Is there any further discussion? Councilman Engel.

COUNCILMAN ENGEL: Mr. President, I was -- I would like to add on and I suspect most would. I wonder if you want to ask if everybody does.

COUNCILWOMAN FLOOD: I'll be glad to make a motion to put everyone on there as a co-sponsor without objection and move that in the form of an amendment.

COUNCILMAN ENGEL: Second.

PRESIDENT TANDY: Properly moved and seconded we have the amendment before us. Is there any discussion on the amendment? All right. Seeing none, without objection we'll add all 26 members as co-sponsors to this resolution. We now have the resolution before us. This is a resolution that calls for a voice vote. All in favor please signify by saying aye.

ALL: Aye.

PRESIDENT TANDY: All opposed?

OPPOSED: None.

PRESIDENT TANDY: The Ayes have it and **The Resolution passes**. The next item of business is Item No. 40. Madam Clerk a second reading of this ordinance.

40. O-178-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE ISSUANCE OF CERTAIN QUALIFIED ENERGY CONSERVATION BONDS OF THE METRO GOVERNMENT AUTHORIZING THE ISSUANCE OF SUCH BONDS TO FINANCE THE COSTS OF PROJECTS FOR QUALIFIED CONSERVATION PURPOSES; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND SOLD; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION. (AS AMENDED)

Status:	On Council Agenda - Old Business
Committee:	Budget
Primary	Jim King
Sponsor:	

PRESIDENT TANDY: Is there a motion?

COUNCILMAN PEDEN: So moved.

COUNCILMAN DOWNARD: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the committee Amended version before us. Is there any discussion? Councilman King,

COUNCILMAN KING: Thank you, Mr. President. This item came out of the Budget Committee unanimously, but it was amended in committee. Thus it ended up on old business. The amendment in committee was in Section 6.1 under the use of the bond proceeds. The Budget Committee added the phrase that we have begun to use in all significant bond issues like this. And that phrase is provided, however, that any such change, substitutions or modifications of the use of the proceeds shall not exceed \$500,000 and their aggregate without prior Metro Council approval. Further, the authority of the Mayor, the OMB Director or the Mayor's designee to make changes substitutions or modification shall not cause the issue to be in violation of Article 7 hereof or any Federal regulations and guidelines associated with the qualified energy conservation bond program. That amendment was made in committee. It does not have to be dealt with here on the floor. And as I said, this is a small bond issue, about \$3.2 million having to do with funds that will be used to renovate and rehabilitate much of the City Government's primary buildings for energy conservation purposes. It should yield about a 20% reduction in the annual cost of energy for the city. And I would urge its approval.

PRESIDENT TANDY: Any further discussion? Councilman Ackerson.

COUNCILMAN JON ACKERSON: Yes, Councilman King, this \$500,000 limit that you referenced, now, is that in total in relationship to the entire bond or can you -- or does it mean the Mayor have authority to do multiple increments as long as each one is not more than 500,000?

COUNCILMAN KING: Well, the way it is worded is that the substitutions or modifications of the use of proceeds shall not exceed \$500,000 in their aggregate without prior Metro Council approval.

COUNCILMAN JON ACKERSON: I would like County Attorney to comment on whether the interpretation would be that it would be the total. The total amount of the bond indebtedness not more than the aggregate, which to me means a total of \$500,000 could be used versus doing it in increments of \$500,000 so in effect you defeat the purpose of what I think this amendment is intended to do.

PRESIDENT TANDY: County Attorney O'Brian.

ASST. COUNTY ATTORNEY WILLIAM O'BRIAN: William O'Brian, Jefferson County Attorney's Office. The

reading I take on the aggregate, is that it would be \$500,000 total and then they would have to come back if they want to do something additional, not \$500,000 per project designation.

PRESIDENT TANDY: Any further discussion? Seeing none, this is an ordinance calling for a roll call vote, Madam Clerk, please open the voting.

PRESIDENT TANDY: Is there any further discussion? Seeing none, this calls for a roll call vote, Madam Clerk, please open the voting

Voting Result: Item 40

JUDY GREEN: YES
BARBARA SHANKLIN: YES
MARY WOOLRIDGE: YES
PRESIDENT DAVID TANDY: YES
CHERI BRYANT HAMILTON: YES
GEORGE UNSELD: YES
KEN FLEMING: YES
TOM OWEN: EXCUSED ABSENCE
TINA WARD-PUGH: YES
JIM KING: YES
KEVIN KRAMER: YES
RICK BLACKWELL: YES
VICKI WELCH: YES
BOB HENDERSON: YES
MARIANNE BUTLER: YES
KELLY DOWNARD: YES
GLEN STUCKEL: YES
JON ACKERSON: YES
HAL HEINER: YES
STUART BENSON: YES
DAN JOHNSON: YES
ROBIN ENGEL: YES
JAMES PEDEN: YES
MADONNA FLOOD: YES
DOUG HAWKINS: YES
BRENT ACKERSON: YES

CLERK: There are 25 yes votes, and 1 not voting, Councilman Owen.

PRESIDENT TANDY: **The Ordinance as Amended passes.** The next item of business is Item No. 41. Madam Clerk a second reading of this ordinance.

41. O-179-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AMENDING ORDINANCE NO. 34, SERIES 2009 AUTHORIZING AND RATIFYING ACTIONS IN THE STRUCTURING, STAFFING, PLANNING AND PREPARATION OF ALL DOCUMENTATION, INCLUDING AN ESCROW AGREEMENT, IF APPLICABLE, FOR THE ISSUANCE OF CERTAIN (i) GENERAL OBLIGATION [REFUNDING] BONDS OR GENERAL OBLIGATION [REFUNDING] NOTES AND/OR (ii) GENERAL OBLIGATION BONDS OR TAXABLE GENERAL OBLIGATION BONDS (BUILD AMERICA BONDS) AND/OR (iii) TAXABLE GENERAL OBLIGATION BONDS (RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS) OF THE METRO GOVERNMENT IN ONE OR MORE SERIES; AUTHORIZING THE ISSUANCE OF SUCH BONDS TO (i) FINANCE THE COSTS OF NEW MONEY PROJECTS AND (ii) REFINANCE ALL OR A PORTION OF THE ISSUER'S OUTSTANDING GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2008A AS FURTHER SET FORTH HEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND SOLD; DEFINING AND

PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION. (AS AMENDED)

Status:	On Council Agenda - Old Business
Committee:	Budget
Primary	Jim King
Sponsor:	

PRESIDENT TANDY: Is there a motion?

COUNCILWOMAN WOOLRIDGE: So moved.

COUNCILMAN PEDEN: Second.

PRESIDENT TANDY: This item is properly moved and seconded. We now have the Committee Amended version before us. Is there any discussion? Councilman King.

COUNCILMAN KING: Thank you Mr. President. This bond issues the culmination of several years really of work this Council has done through its budget in 2008 we approved \$39 million in -- excuse me \$44 million in capital projects. Many of which are already underway and have been financed through a bond anticipation notes and other cash flow from the city, by our authority. In 2009 we authorized another \$39 million in projects. And in 2010 we authorized between \$17 and \$18 million in projects. And that totals roughly \$101 million that have already been authorized. The committee approved an additional -- the budget committee approved an additional \$4.4 million in projects to be bonded, bringing the total at that time to roughly \$105 million. The additional projects were made available to us because the Federal Stimulus Act has created an environment in which we can, as a city, issue bonds at a lower cost. And we are able to use the existing debt service structure we have built into our budget to borrow additional funding because of that. And the Administration sent over to us several projects that they recommended that we include as projects in this bond. The projects were \$700,000 as matching money on a fire house modernization for Beechmont and the Beechmont fire house, \$1.5 million to go to the 21st Century Parks organization for the Floyd's Fork Phase 1 Project, it's a children's park that's to be built there, and then \$2 million to go to Glacier Run to complete that project at the Louisville Zoo. On the floor, a further project was -- excuse me, at the Budget Committee a further project was recommended and approved by the committee for \$250,000 for the Wyandotte Master Plan implementation. Other changes that were made at the Budget Committee on Page 21 of the bond indenture in Section 3 we added the phrase *net of Federal subsidies* after the phrase with respect to the interest payable on the bonds or notes *no single annual interest rate for a maturity or sinking fund installment of the bonds or notes shall exceed 6%*. We added the phrase *net of Federal subsidies* that was because of the use of the Federal Stimulus Act. On Page 25 we deleted a phrase except for the Metro Safe project in Section 6.3. That language was a carryover of some boiler plate from some previous bond indenture and didn't need to be there. It was caught by a committee member and deleted. And then as I mentioned, we approved in committee the project that I just described to you that added up to roughly -- well actually \$4.45 million. Now, I am going to propose an amendment tonight that will slightly modify this document that has come to you from the Budget Committee. I think the Budget Committee did a good job. But in talking to some of our other members who were not on the Budget Committee some ideas came forward with respect to the use of some available bonding capacity that would incorporate the Wyandotte Master Plan work that we approved in committee. As many of you know certainly the Budget Committee and some of you that we talked about in the Committee of the Whole, the available capacity is about \$1.224 million in this bond and each of you has received a new Exhibit A that shows that \$1.224 million as being used as Council designated parks and infrastructure development projects and going to the Public Works and Assets Department and deleting the Wyandotte Master Plan Phase 1 with it in mind that would be incorporated into the \$1.224 million Council designated parks and recreation projects. After I passed out that new Exhibit A, Mr. O'Brien, our County Attorney suggested a slight change in the language. And he may want to address it. He may not. But I think it had to do with his comfort level in making sure that we were keeping this bond indenture legal. And so I think what he suggested and he can correct me on this, is that we have two categories. Basically Council designated parks and recreations projects and Council designated infrastructure development projects. Did I say that correctly? Do you want to comment on that?

BILL O'BRIEN: If I may, Mr. President? Yes, you did. But I would not emphasize -- I think in parentheses with that, under the parks, parentheses under the Parks Master Plan, because we had the Master Plan and that would clearly designate it to projects that have already been discussed. And then under the sidewalk and infrastructure that's fine.

COUNCILMAN KING: I would adopt your language. In order to have a dollar amount in there, my thinking was I would just split the \$1.224 million into two pieces \$612,000 in each category knowing that with our approval or even without our approval the administration can move \$500,000 around between projects. So since there would only be \$612,000 in each category there's certainly more than enough flexibility if we break it down that way so that would be the way I would suggest it. And I'll move that amendment as a floor amendment.

COUNCILWOMAN WOOLRIDGE: Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the amendment before us. Is there any other discussion? Councilman Downard.

COUNCILMAN DOWNARD: Thank you Mr. President I want to add on for the people listening this \$1.244 million is a number that has calculated based on anticipation of an interest rate that won't be solidified until December. So it's the Council's good caution, I think, not to spend this money until we know it's there. And then when we get to come back, I think there was quite a bit of discussion that will give us more time to determine among ourselves what should or shouldn't be spent, and on what items. And I think that it is very cautious and a thoughtful idea that has come about through the Council. And I would recommend approval of it. But for those of you watching we don't have \$1.224 million sitting there. We think it's there but it might not be.

PRESIDENT TANDY: County Attorney O'Brien.

BILL O'BRIEN: I am not sure if I heard that motion to strike the \$250,000 on the Wyandotte Master Plan.

COUNCILMAN KING: I did say that.

BILL O'BRIEN: I apologize.

PRESIDENT TANDY: Councilman Heiner.

COUNCILMAN HEINER: Thank you, Mr. President. My question is on why we need to be this specific at this point. I was hoping to add into the parks and recreation and infrastructure development to add libraries in there, as well. Sort of my understanding as we had earlier discussion that this would be an opportunity for the Council to look at what are the joint priorities of this Council moving forward and not limit it to just these two areas. In fact, in our discussion it seems like a lot more than half the funds were going to end up in infrastructure development at least what was lobbied for earlier. My question at this point is to the County attorney. I would like to get a full understanding. I don't know if bond Council is still there but why it couldn't simply be Council designated projects.

PRESIDENT TANDY: County Attorney O'Brien.

BILL OBRIEN: I may be being super cautious in my interpretation. If you look on Page 25 of the bond under the special covenants, Section 6.1 where it sets out that the transfer of the funds outside of that which is already -- well it's designated in Exhibit A, what the new programs are. And in Exhibit A we adopt everything that was in the 2008 budget basically and of course 2009, as well. So -- and then we list the new projects. I was being cautious in that once you designate it in there, then there's not a question. We also have the question about arbitrage. But I think you all are going to spend this money on projects so I don't think arbitrage is going to be a problem. But I wanted to be as specific as possible. If you wanted to divide it in thirds and put -- that's up to you all. But I've just -- I'm just cautious. I would hate to have everything reprinted because we were overly general, and a delay. That's all.

PRESIDENT TANDY: Councilman King.

COUNCILMAN KING: Mr. President, thank you, and I understand Councilman Heiner's concern. I also heard it

from some other members, about the specificity of this. But I think that we have the flexibility with that \$500,000 or more that we can move things around and I'll certainly commit to work with you Councilman Heiner and the rest of the members here in the budget committee as a whole with respect to your projects.

PRESIDENT TANDY: Councilman Heiner.

COUNCILMAN HEINER: You know, maybe to try to get more general is we could add another category called facility development projects. That would satisfy my concerns and try to keep it -- you know, try to keep it general if we were going to divide this into thirds, realizing that that's just a placeholder for where we finally end up.

COUNCILMAN KING: What was your suggestion? Facility what?

COUNCILMAN HEINER: I was thinking rather than -- I don't know if anyone else shares my concerns about how specific we are at this point. My concern is libraries. I was just going to suggest facility development projects, assuming the County Attorney feels that libraries would fall in that category.

PRESIDENT TANDY: Are you making that in the form of a friendly --

COUNCILMAN HEINER: Yeah, I guess Mr. President if we could hear from -- I think the County Attorney would like to weigh in on that if he thinks that will work I would offer that as a friendly amendment.

BILL O'BRIEN: If I may and I probably need help from the Finance Department on this. Is there not a Library Master Plan or is that still in the works? I see some Council Members smiling.

COUNCILMAN HEINER: We have adopted a Library Master Plan, a new Library Master Plan.

BILL OBRIEN: And I may be going the wrong way on this. But since you already have a Library Master Plan which has been adopted, you want to send this money to that, that would seem to be specific in a program that's in existence and shouldn't be a problem.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I think when we talked about this in committee, we talked when bond counsel was present, one of their concerns was we have specificity and full intention on spending the dollars on items mentioned. I think if we keep trying to split this up, what it says to somebody if they are paying attention tonight well we don't know. But I think the items to Councilman Heiner's question at any point in time, we may with the administration or we can go up and say we would like to make a change in these items. We have seen that. I've complained about it. I think some of you remember in the past. So the ability to do that would be there and I think if we start trying to get too specific we're going to all be jumping up and saying well I want to make sure we include horses and I want to make sure we include different departments and then police and fire would have to be in there again. So I just -- I understand and I appreciate the issue. But I think if we leave it Public Works Parks and Recreation and Infrastructure Projects, I think we left it pretty wide open. Libraries specifically are not there. But we have two months to find out whether they should be. I'm thinking that's what will come. Thank you.

PRESIDENT TANDY: Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. President, I heard Councilman Downard say this \$1.2 million is kind of arbitrary. It could be, may not be there, so my question to the County Attorney, suppose this bond money that we think is there comes under very short, then what happens? Because some of us have been very specific in what our needs are in our District, and with specific amounts. Can you speak to that a little bit, please?

BILL OBRIEN: Yes, I may and there may be some disagreement. But the way I interpret the municipal law, the Executive is the one to determine how the money is to be spent. You all designated moneys to be spent in and if the money is not there, it's going to be an Executive responsibility to make a decision on how to cut those funds, move those funds, what projects must move forward.

COUNCILWOMAN GREEN: So then my concern is that if we don't make some of this district specific, it still may not happen in some of our districts. Is that a correct assessment?

BILL O'BRIEN: Whether or not that occurs is an issue always between the Legislative and the Executive. You all -- the Executive compiles a budget. You all approve it. And the question is, can it be done, is there sufficient funds, so again the general answer is that even if you made it specific as to a district, as to a specific project within that district, that the Executive would still have to implement that and to issue the contracts for it based upon availability of funds.

COUNCILWOMAN GREEN: Mr. President, well then I would respectfully ask that Councilman Downard would provide his wisdom and insight on this, please as to how we should go about, if this should a dilemma.

COUNCILMAN DOWNARD: I would be happy to but this is an unusual night. Councilman Blackwell quoted me earlier and now I'm being asked about my wisdom which many say I don't have. Let me just say that what the problem here is that we have an amount that started out at as projects. There was a bond rating, a bond rate. That was assumed to do those projects. If you can take the amount of money we budgeted, \$100 a month, and make it at 5.5% we can borrow \$10. If you drop that rate to 3.5%, we can borrow \$12 and not have any more payment. It's just like dropping the payment on your home loan. If you drop the rate, your payment doesn't go up, but you can borrow a little bit more. That's what's happened here. The issue in my mind is, we have said we can drop the rate on our home loan but we haven't gotten approval for it yet, so when we go down to the mortgage company they may say: Sorry, it's not going to be 3.5 it's going to be 3.7. And if that happens then if we have the same amount of budgeted expenditure for interest, we don't get to borrow as much. So I think the appropriate thing to do is for us to do, I think Councilman King has suggested, and that is we can appropriate this within the bond thoughtfully for a specific item which I think specific enough Designated Parks, Recreation and Infrastructure and then in December when they actually issue the bond, give us 3.5 or 3.2 there's a different number. And that's what I think we have to take a look at. I mean there's always fluff in almost every bond issue for issuance cost and rate and there's concern. So that's why I say we want to wait and see whether the mortgage company is going to let us reduce the rate.

PRESIDENT TANDY: Councilwoman Green.

COUNCILWOMAN GREEN: Thank you, Mr. President. So this Council would still have the ability to look at what projects get funded and make a recommendation to the Administration?

COUNCILMAN DOWNARD: Yes, it says Council Designated Parks, Recreation and Infrastructure Development Projects so we would have the ability to recommend it. I think the Assistant County Attorney has properly portrayed it. Often we have appropriated and designated expenditures that don't get spent.

COUNCILWOMAN GREEN: That's my concern.

COUNCILMAN DOWNARD: But that's always there. And if you know when we had our budget issues, many capital projects in all of our districts just got suspended and many have never come back. Waiting for you know the economy to come around so that can happen I can't promise anything that it will be there but in my wisdom, I would say this is the best shot we have of at least trying to make sure we have control of it.

PRESIDENT TANDY: Councilman King.

COUNCILMAN KING: I was going to mention we have also authorized an additional 2% in the bond issue which is a couple million dollars for issuance costs but those costs we believe will be around \$700,000. And I certainly respect Councilman Downard's thoughts on this. But I don't think that we're going to see us falling short on the funding that we're looking for out of this bond issue. I just -- that's my belief tonight.

PRESIDENT TANDY: Councilman Ackerson.

COUNCILMAN JON ACKERSON: Maybe I'm not understanding things correctly here. And this is a very important issue. Is assuming the financing comes in as we project and assuming there is \$1.224 million of unallocated money for the projects that are specifically listed here such as Louisville Fire and so on, it was my understanding then, this body would decide how to spend the rest of the money what I'm hearing you say is no

the Mayor will come back and tell us how he wants to spend the balance of the 1.224 million, and we'll have to decide on that. I didn't understand that was going to be the way this matter was played out. I thought it was our prerogative to decide how these additional bonding funds were going to be allocated within the community. So I guess my question is to Councilman King, I would assume, as to which understanding is correct, if either.

PRESIDENT TANDY: Councilman King.

COUNCILMAN KING: Thank you. Well, we use the phrase Council Designated in the bond issue language. If the County Attorney believes that that gives the Mayor the authority to decide what the projects are, that's different than what our intent was.

COUNCILMAN JON ACKERSON: Certainly different than my intent.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you Mr. President. I think if I heard him properly, we have the ability and we will have to designate the activities. But what I thought I heard him say is that the Executive Branch still doesn't have to spend it. They can't spend it on something else. They can't decide to spend it on something else until they get it approved but they don't have to spend it based on the financial structure of the city at the time is what I thought I heard him say.

PRESIDENT TANDY: Mr. Obrien.

BILL O'BRIEN: Councilman Downard is correct. I would also like to point to the Council Page 25 the very last line, which I think answers the question of Councilman Ackerson. That movement of funds to any other projects shall require prior Metro Council approval by ordinance. What this does by listing it here, you have put the world on notice that you intend or hope to spend \$612,000 plus or minus a certain amount of money on sidewalk infrastructure development repair, \$600,000 plus or minus on additional parks master plan. That's what it's saying. And you're saying Council designated, so you all are going to have to designate exactly in those two broad areas what projects you're talking about. However, having said that, if I may a little long winded here, the new budget is coming up soon. And any additional funds that needs to go to the library or any other project, you all are saying out of this source of funds you wish to spend X amount of money, I would assume that you would cut down if you spent \$800,000 in sidewalks you wouldn't spend as much next time out. Maybe there is that additional need. I don't know. But you all will make that determination in the next budget.

PRESIDENT TANDY: Councilman Heiner.

COUNCILMAN HEINER: My concern again this is I guess a question for County Attorney's Office. If we don't list in here, libraries for instance, and there may be other areas that people are interested in but if we don't list that and we just list parks and recreation and infrastructure, that seems to preclude spending any money on libraries. Do we have the flexibility in this bond to after the bonds are issued, to just add new projects or eliminate projects and change to other projects?

BILL OBRIEN: If I may? I would be extremely cautious in doing so. But you do have the budget. You can come in and you can amend the budget document. The bond funds are the source of the money. And inside the amended budget, you can say that you're going to spend X amount and you're going to strike because within the budget you're to have to amend the budget right now to bring in these additional funds. So you can always amend the budget and then if you strike that project, that's in here, I guess it's the CCRF-BP bond project then you could reallocate it to that.

COUNCILMAN HEINER: So, if I could follow up? This bond ordinance would not have to be modified and the bond holders wouldn't be concerned about that.

BILL O'BRIEN: To the extent that -- I think if we're talking about moving \$500,000 on 108 million dollar -- you have the authority to move it to new projects just as long as they are similar types of projects. And I would make the argument that infrastructure repair if it's a library that's infrastructure. I may be wrong on that I can't guarantee you that but I don't believe -- the main concern is being the -- violating the arbitrage provisions and you won't be doing that. So I think that you'll be in good shape if you decide that you want to take part of that

money and spend it on something else other than what's in Exhibit A. One, if you amend the budget, and strike the expenditure you have listed here and reallocate and then the Council would have to have the bond -- you would have to approve by a new ordinance the additional expenditure but the bond documents would have to be amended? I'm not a municipal bond attorney. I don't believe so, though, for that \$500,000 amount since you gave that authority there.

PRESIDENT TANDY: Councilman Kramer.

COUNCILMAN KRAMER: Thank you, Mr. President. I think I just got the answer to my question but I want to ask you just to be 100% sure. If we say infrastructure development projects, my question was going to be would Government buildings be considered part of infrastructure? I would think they would. I would think if it's a Government building, a Government road, something that you know the Government has responsibility for, that that would be Government -- that would be considered infrastructure. If that's the case, I would then assume that libraries are included but I wanted to be sure that I heard that correctly.

BILL O'BRIEN: Again, we are in an area that I am not an expert in. But infrastructure, you spend a million dollars on infrastructure, you really haven't spent a lot of money. So I'm sure there's sidewalks, streets, other infrastructure things as a part of a building that could be spent.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. Mr. President, if I may, I see Ms. Driskell in the chamber and she was our financial analyst, and can we ask her to come to the table to give us her expertise on what we're talking about here, as well.

JANE DRISKELL: Thank you, Jane Driskell, Director of Office Management and Budget. I'm not a bond attorney either but there is language in all of our bond issues about projects being for a public purpose so I think there is some flexibility in terms of those projects. We have been advised by Bond Counsel specificity is preferred, but I think we can work within the infrastructure definition.

PRESIDENT TANDY: Any further discussion, seeing none we now have the amendments, the floor amendment before us. Councilman Heiner.

COUNCILMAN HEINER: Can we find out exactly what the wording is that's before us?

PRESIDENT TANDY: Councilman King would you read your amendment again?

COUNCILMAN KING: Happy to. The floor amendment is not what you all received earlier as you recall. I told you that the wording was changed because of advice of Counsel. But on what you have parks and recreation Wyandotte master plan all of that was deleted and Public Works and Assets was added. That remains the same. Under the project title, I have written Council Designated Parks and Recreation. And I believe the County Attorney wanted to say Master Plan Projects. Something to that effect. Is that . . .

BILL OBRIEN: Yes. But I'm -- if I may, Mr. President, I'm making a big assumption that there's not some new project out there that's not a part of the Master Plan.

COUNCILMAN KING: Can we leave it as Council Designated Parks and Recreation Projects.

BILL O'BRIEN: Yes.

COUNCILMAN KING: I'm proposing Council Designated Parks and Recreation Projects get \$612,000 and then Council Designated Infrastructure Development Projects gets \$612,000.

PRESIDENT TANDY: Okay. So we now have that amendment before us. Any further discussion? Councilman Heiner.

COUNCILMAN HEINER: Just one last thing. I feel like we have sort of come full circle on this. And if you could explain once again the difficulty if we said instead of Council Designated Infrastructure Development Projects if

we said Council Designated Infrastructure and Facility Development Projects, does that cause -- does that make the bond --

COUNCILMAN KING: I'll adopt that language.

COUNCILMAN HEINER: Thank you.

PRESIDENT TANDY: So we now have the -- we now have the amendment before us. Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Mr. President, the language that the Budget Chair was adopting, can we read that and see what he's saying here.

PRESIDENT TANDY: Councilman King.

COUNCILMAN KING: Yeah, it's -- that second section says Council Designated Infrastructure and Facilities Development Projects.

COUNCILWOMAN WOOLRIDGE: So is that leaving out Parks and Recreation.

COUNCILMAN KING: No. That's one category is what we changed. The other category of Council Designated Parks and Recreation Projects remains the same.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Mr. President, confusion here, total confusion. Are we adding facilities and leaving the other two or are they remaining the same? That's my question?

COUNCILMAN KING: Yes.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: I just wanted to -- when Councilman Heiner first spoke, he mentioned splitting into thirds. I just wanted to make sure it was still \$612,000 for each of the two categories.

COUNCILMAN KING: \$612,000 each, yes.

COUNCILWOMAN HAMILTON: Thank you.

PRESIDENT TANDY: Any further discussion or questions on the amendment? Seeing none, the amendment calls for a voice vote. All those in favor signify by saying aye.

ALL: Aye.

PRESIDENT TANDY: All opposed?

OPPOSED: None.

PRESIDENT TANDY: The ayes have it the amendment carries. We now have the amended version of the ordinance before us. Is there any further discussion on the ordinance? Seeing none, Madam Clerk, please open the voting. The voting is closing. And the voting is closed.

Voting Result: Item 41

JUDY GREEN: YES

BARBARA SHANKLIN: YES

MARY WOOLRIDGE: YES

PRESIDENT DAVID TANDY: YES

CHERI BRYANT HAMILTON: YES

GEORGE UNSELD: YES
 KEN FLEMING: YES
 TOM OWEN: EXCUSED ABSENCE
 TINA WARD-PUGH: YES
 JIM KING: YES
 KEVIN KRAMER: YES
 RICK BLACKWELL: YES
 VICKI WELCH: YES
 BOB HENDERSON: YES
 MARIANNE BUTLER: YES
 KELLY DOWNARD: YES
 GLEN STUCKEL: YES
 JON ACKERSON: YES
 HAL HEINER: YES
 STUART BENSON: YES
 DAN JOHNSON: YES
 ROBIN ENGEL: YES
 JAMES PEDEN: YES
 MADONNA FLOOD: YES
 DOUG HAWKINS: YES
 BRENT ACKERSON: NOT VOTING

CLERK: There are 24 yes votes, and 2 not voting, Councilman Owen and Councilman Brent Ackerson.

PRESIDENT TANDY: **The Ordinance as Amended passes.**

NEW BUSINESS:

PRESIDENT TANDY: Next item of business is new business. New Business comprises of Items 42-64. Madam Clerk a reading of those items and their assignment to the proper committee.

42. O-186-10-09 AN ORDINANCE APPROPRIATING A TOTAL OF \$15,000.00 FROM DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUND, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO FERN CREEK/HIGHVIEW UNITED MINISTRIES, INC. FOR A NEW PROJECT CALLED INVESTING TO SERVE: LEGACY OF CARING.

Status:	On Council Agenda - New Business
Committee:	Appropriations, NDFs and CIFs
Primary Sponsor:	Robin Engel

43. O-182-10-09 AN ORDINANCE APPROPRIATING \$7,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: \$2,500 EACH FROM DISTRICTS 6 AND 4; \$500 EACH FROM DISTRICTS 21, 24, 1, AND 3; AND \$250 FROM DISTRICT 13; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE WOMEN OF VISION AND PURPOSE, INC., FOR THEIR PINK RIBBON PROJECT.

Status:	On Council Agenda - New Business
Committee:	Appropriations, NDFs and CIFs
Primary Sponsor:	Vicki Aubrey Welch Madonna Flood Judy Green Mary C. Woolridge George Unseld

David Tandy
Dan Johnson

44. O-192-10-09 AN ORDINANCE APPROPRIATING \$21,132.25 FROM THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND TO METRO PARKS DEPARTMENT FOR ACTIVITIES IN DISTRICT 4 PARKS.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: David Tandy

45. O-183-10-09 AN ORDINANCE APPROPRIATING A TOTAL OF \$25,500 FROM THE FOLLOWING NEIGHBORHOOD FUNDS, \$5,000 FROM DISTRICTS 3, 4, 5, AND 6, \$2,500 FROM DISTRICT 1, \$2,000 FROM DISTRICT 21, AND \$1,000 FROM DISTRICT 2 THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO NEW JERUSALEM MISSIONARY BAPTIST CHURCH, INC. FOR PRIDE, INC. TO PROVIDE FOOD, CLOTHES AND TOYS FOR SIX COMMUNITY EVENTS.

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:

Barbara Shanklin
Cheri Bryant Hamilton
Dan Johnson
David Tandy
George Unseld
Judy Green
Mary C. Woolridge

46. O-180-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 91, SERIES 2009, RELATING TO THE FISCAL YEAR 2009-10 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$15,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 9) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 9).

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Tina Ward-Pugh

47. O-187-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 91, SERIES 2009 RELATING TO THE CAPITAL AND OPERATING BUDGETS FOR FISCAL YEAR 2009-10, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$15,000 OF CAPITAL CUMULATIVE RESERVE FUNDS RELATED TO THE MSD/ALGONQUIN PARKWAY PROJECT TO THE GENERAL FUND FOR THE METRO HOUSING RESOURCE CENTER PROGRAM FOR DISTRICT 6 UNDER THE ADMINISTRATION OF THE HOUSING & FAMILY SERVICES DEPARTMENT.

Status: On Council Agenda - New Business
Committee: Budget

**Primary
Sponsor:**

George Unseld

48. O-188-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 91, SERIES 2009 RELATING TO THE FISCAL YEAR 2009-10 CAPITAL AND OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$25,000 FROM THE DISTRICT 5 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUND.

Status: On Council Agenda - New Business
Committee: Budget
Primary Cheri Bryant Hamilton
Sponsor:

49. O-184-10-09 AN ORDINANCE APPROVING THE BUDGET AND ECONOMIC IMPROVEMENT PLAN FOR THE LOUISVILLE DOWNTOWN MANAGEMENT DISTRICT FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

Status: On Council Agenda - New Business
Committee: Budget
Primary David Tandy
Sponsor:

50. R-204-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (LOUISVILLE ENTERPRISE CENTER, INC. D/B/A LOUISVILLE ENTERPRISE GROUP, INC. - \$44,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Judy Green
Sponsor:

51. R-205-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM - \$234,756.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Robert Henderson
Sponsor:

52. R-206-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - PCA – CORRECTIONS, LLC D/B/A PCA PHARMACY – (\$800,000.00).

Status: On Council Agenda - New Business

Committee: Contracts and Appointments
Primary Judy Green
Sponsor:

53. R-210-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT – (CANYON ONE, INC. - \$18,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Barbara Shanklin
Sponsor:

54. R-209-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (SECURANCE, LLC - \$39,100.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Brent Ackerson
Sponsor:

55. R-212-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (Doreen Dehart - \$25,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Mary C. Woolridge
Sponsor:

56. R-215-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – ENVIRONS/INC. - \$200,000.00.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Robert Henderson
Sponsor:

57. R-213-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (LOUISVILLE ENTERPRISE CENTER, INC. D/B/A LOUISVILLE ENTERPRISE GROUP, INC. - \$200,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary David Tandy
Sponsor:

58. R-214-10-09 A RESOLUTION RELATING TO THE NUMBER OF CONSECUTIVE TERMS THE MAYOR OF LOUISVILLE METRO GOVERNMENT MAY SERVE.

Status: On Council Agenda - New Business
Committee: Government Accountability & Oversight
Primary Brent Ackerson
Sponsor:

59. R-211-10-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A \$40,000.00 GRANT FROM THE COMMONWEALTH OF KENTUCKY FOR AN EARLY CHILDHOOD DEVELOPMENT PROJECT.

Status: On Council Agenda - New Business
Committee: Health & Human Needs
Primary Vicki Aubrey Welch
Sponsor:

60. O-181-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO COUNCIL AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INDUSTRIAL BUILDING REFUNDING REVENUE BONDS, SERIES 2009 (ST. MARY ACADEMY PROJECT) AND TAKING OTHER RELATED ACTION.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Kelly Downard
Sponsor:

61. O-185-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE ISSUANCE OF ITS COLLEGE IMPROVEMENT REVENUE BONDS, SERIES 2009 (BELLARMINE UNIVERSITY PROJECT) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$18,500,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO BELLARMINE UNIVERSITY INCORPORATED TO FINANCE THE COSTS OF THE CONSTRUCTION OF PHASE THREE OF A FOUR PHASE RESIDENT HALL CONSISTING OF 38,086 SQUARE FEET TO INCLUDE THE ADDITION OF A PARKING LOT CONSISTING OF 118 PARKING SPACES, THE RENOVATION OF EXISTING SPACE AND CONSTRUCTION OF NEW OFFICE AND CLASSROOM SPACE CONSISTING OF APPROXIMATELY 33,526 SQUARE FEET TO INCLUDE INSTALLATION OF A GEOTHERMAL SYSTEM AND THE ADDITION OF OTHER ENERGY EFFICIENT SYSTEMS TO KOSTERS, THE RENOVATION OF CAFÉ OGLE, AND THE ADDITION AND CONSTRUCTION OF FIELD PARKING PHASE TWO CONSISTING OF AN ADDITIONAL 158 PARKING SPACES, AND TO FINANCE CERTAIN COSTS OF ISSUANCE; AUTHORIZING A TRUST INDENTURE, A LOAN AGREEMENT, A BOND PURCHASE AGREEMENT, AND OTHER RELATED DOCUMENTS; AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS .

Status: On Council Agenda - New Business

Committee: Labor & Economic Development
Primary Jim King
Sponsor:

62. R-207-10-09 A RESOLUTION REQUESTING THE STATE OF KENTUCKY TRANSPORTATION CABINET TO AUTHORIZE LOUISVILLE METRO GOVERNMENT TO ESTABLISH A PERMITTING PROCESS FOR THE PLACEMENT OF STREET FURNITURE IN THE RIGHT-OF-WAYS OF KENTUCKY STATE HIGHWAYS LOCATED WITHIN LOUISVILLE METRO.

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor:
Rick Blackwell
Hal Heiner
Kelly Downard
Mary C. Woolridge

62. O-189-10-09 AN ORDINANCE CLOSING VALLEY FARMS COURT, A CUL-DE-SAC LOCATED IN THE VALLEY FARMS SUBDIVISION RECORDED AT SUBDIVISION BOOK 50, PAGE 68 IN THE OFFICE OF THE CLERK OF JEFFERSON COUNTY, KENTUCKY, FROM ITS INTERSECTION WITH VALLEY FARMS BOULEVARD, RUNNING SOUTHEASTERLY TO ITS END, CONTAINING 10,137.72 SQUARE FEET, AND BEING IN LOUISVILLE METRO (CASE NO. 12713).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Tom Owen
Sponsor:

64. O-191-10-09 AN ORDINANCE CLOSING AN UNIMPROVED SECTION OF DUMESNIL STREET, A 60-FOOT RIGHT-OF-WAY, FROM ITS EAST INTERSECTION WITH 15TH STREET, 323 FEET SOUTH OF OAK STREET, RUNNING 348.52 FEET EAST TO THE P&L RAILROAD RIGHT-OF-WAY WITHIN UNIMPROVED 14TH STREET, AND BEING IN LOUISVILLE METRO (CASE NO. 12296).

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Tom Owen
Sponsor:

There being no further business, the **Regular October 22, 2009** Metro Council meeting adjourned without objection at 8:07 PM EDT.

Kathleen J. Herron, Metro Council Clerk

David W. Tandy, Metro Council President

Announcements were made by Councilwoman Flood, Councilwoman Hamilton, and Councilwoman Welch.
